UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,500	08/22/2003	Gerold Herold	32860-000610/US	8715

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HARNESS, DICKEY & PIERCE, P.L.C.
P.O.BOX 8910
RESTON, VA 20195

EXAMINER
LOVEL, KIMBERLY M

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/645,500	HEROLD ET AL.
	Examiner	Art Unit	
	KIMBERLY LOVEL	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *26 November 2007*.
2a) ☐ This action is **FINAL**.　　　2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☐ Claim(s) _____ is/are pending in the application.
　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-29* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
　　a) ☐ All　b) ☐ Some * c) ☐ None of:
　　　1. ☐ Certified copies of the priority documents have been received.
　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.
　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)　Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)　Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.	Claims 1-29 are rejected.

Continued Examination Under 37 CFR 1.114

2.	A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 26 November 2007 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.	**Claims 1-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over US PGPub 2002/0087359 to Bocionek (hereafter Bocionek) in view of US PGPub 2004/0186747 to Nakano et al (hereafter Nakano).**

Referring to claim 1, Bocionek discloses a data processing system for processing medically relevant data objects including at least one of image data and metadata (see abstract), comprising:

a first electronic data processing device [operator consoles 5-8] for viewing and editing the data objects (see [0021], lines 7-11), the first electronic data processing device including,

a data store for storing the data objects [medical images and patient data are stored locally within the workstations] (see [0021], lines 7-11), and

a first interface for outputting data objects (see [0025]); and

a second electronic data processing [workstation 11] (see [0023]), the second electronic data processing device including,

a second interface for receiving the data objects [communication network 9] (see [0023], lines 1-4),

wherein

the first data processing device uses firmly prescribed data formats [DICOM], to store, view and edit data objects (see [0021] and [0025]),and

the interfaces of the first and second processing devices are connectable to one another for transfer of data objects from the first data processing device to the second data processing device (see [0022], lines 1-3; [0023], lines 1-4; and [0025]).

However, while Bocionek discloses a second processing device, Bocionek fails

to explicitly disclose the further limitations of the second electronic data processing

device presenting and altering data from data objects in reports using report masks,

wherein the second electronic data processing device has a mask memory for storing

the report masks and uses report masks, generateable and alterable locally by the user

of the second data processing device to present and alter objects in a report context.

Nakano discloses creating formatted reports containing extracts from the database

including a processing device for presenting data from data objects in medically relevant

reports (see abstract), the second electronic data processing device presenting and

altering data from data objects in reports using report masks (see [0049]; [0050]; and

Fig 2), wherein the second electronic data processing device has a mask memory for

storing the report masks [report template database 11] (see Fig 2), a second interface

for receiving the data objects [interface 9] (see Fig 2) and uses report masks,

generateable and alterable locally by the user of the second data processing device to

present and alter objects in a report context (see [0088], lines 8-10).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to utilize the report masks of Nakano to present the data disclosed by

Bocionek on a second device. One would have been motivated to do so in order to

improve the diversity of database system with which the clients and users can interact.

Referring to claim 2, the combination of Bocionek and Nakano (hereafter

Bocionek/Nakano) discloses the data processing system as claimed in claim 1, wherein

the second data processing device stores report masks at least one of generated and altered by the user [templates] (Nakano: see [0052]).

Referring to claim 3, Bocionek/Nakano discloses the data processing system as claimed in claim 1, wherein the second data processing device uses report masks, generate able and alterable by the user without knowledge of the syntax of the data objects, in order for a user to edit data from data objects (Nakano: see [0088]).

Referring to claim 4, Bocionek/Nakano discloses the data processing system as claimed in claim 1, wherein at least one of the interfaces includes the data switching device, the data switching device having access to an association memory containing information about an association between data object types and report masks, and wherein the data switching device is adapted to ascertain the type of a data object transferred via the interface, compare the ascertained type with the content of the association memory and associate a report mask with the data object on the basis of the result of the comparison (Nakano: see [0080]).

Referring to claim 5, Bocionek/Nakano discloses the data processing system as claimed in claim 1, wherein the interfaces on the first and second data processing devices, when interconnected, are useable to transfer data belonging to data objects from the second data processing device to the first data processing device, and wherein data objects with user-edited data, transferred to the first data processing device via the interconnected interfaces, are stored in the data store (Nakano: see [0058], [0088] and [0089]).

Referring to claim 6, Bocionek/Nakano discloses the data processing system as claimed in claim 5, wherein content of user-edited data is checked by the data switching device, and the checked data are stored by the first data processing device only on the basis of the result of the check (Nakano: see [0088] and [0089]).

Referring to claim 7, Bocionek/Nakano discloses the data processing system as claimed in claim 1, wherein the first data processing device is for authenticating all access operations to data objects by users in a manner which the user cannot alter and documents them for later reconstruction (Bocionek: see [0021] and [0025]).

Referring to claim 8, Bocionek discloses a distributed method for processing medically relevant data objects, including at least one of image data and metadata (see abstract), with a first component [operator consoles 5-8] for at least one of viewing, editing and storing the data objects (see [0021], lines 7-11) and with a second component [workstation 11] for presenting data from the data objects (see [0023]), comprising:

using prescribed data formats [DICOM] in the first component, which are unalterable by a user, to at least one of store, view and edit the data objects (see [0021] and [0025]);

However, while Bocionek discloses a second processing device, Bocionek fails to explicitly disclose the further limitations of the second electronic data processing device presenting and altering data from data objects in reports using report masks, wherein the second electronic data processing device has a mask memory for storing the report masks and uses report masks, generateable and alterable locally by the user

of the second data processing device to present and alter objects in a report context.

Nakano discloses creating formatted reports containing extracts from the database

including a processing device for presenting data from data objects in medically relevant

reports (see abstract), the second electronic data processing device presenting and

altering data from data objects in reports using report masks (see [0049]; [0050]; and

Fig 2), wherein the second electronic data processing device has a mask memory for

storing the report masks [report template database 11] (see Fig 2), a second interface

for receiving the data objects [interface 9] (see Fig 2) and uses report masks,

generateable and alterable locally by the user of the second data processing device to

present and alter objects in a report context (see [0088], lines 8-10).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to utilize the report masks of Nakano to present the data disclosed by

Bocionek on a second device. One would have been motivated to do so in order to

improve the diversity of database system with which the clients and users can interact.

Referring to claim 9, Bocionek/Nakano teaches the distributed method as

claimed in claim 8, wherein the second data processing device stores report masks

[templates] at least one of generated and altered by the user [template database]

(Nakano: see [0052] and Fig 2).

Referring to claim 10, Bocionek/Nakano discloses the distributed method as

claimed in claim 8, wherein the second method component uses report masks for a user

to edit data from the data objects (Nakano: see [0088]).

Referring to claim 11, Bocionek/Nakano discloses the distributed method as claimed in claim 8, wherein a data switching component is provided for ascertaining the type of a data object transferred from the first to the second component, for comparing the ascertained type with the content of an association memory containing information about the association between data object types and report masks, and for associating a report mask with the data object on the basis of the result of this comparison (Nakano: see [0080]).

Referring to claim 12, Bocionek/Nakano discloses the distributed method as claimed in claim 8, wherein data belonging to data objects is transferable from the second to the first component, and wherein the first component stores data objects with user-edited data, transferred to the first component, in a data store (Nakano: see [0089]).

Referring to claim 13, Bocionek/Nakano discloses the distributed method as claimed in claim 12, wherein the content of user-edited data belonging to data objects is checked, and the user-edited data are stored by the first component only on the basis of the result of this check (Bocionek: [0021] and [0025]).

Referring to claim 14, Bocionek/Nakano discloses teaches the distributed method as claimed in claim 8, wherein the first component authenticates all access operations to data objects by users in a manner which the user cannot alter and documents them so that they can be subsequently reconstructed (Bocionek: [0021] and [0025]).

Referring to claim 15, Bocionek/Nakano discloses the data processing system as claimed in claim 2, wherein the second data processing device uses report masks, generateable and alterable by the user without knowledge of the syntax of the data objects, in order for a user to edit data from data objects (Nakano: see [0089]).

Referring to claim 16, Bocionek/Nakano discloses the data processing system as claimed in claim 1, wherein at least one of the interfaces includes data switching means, having access to an association memory containing information about an association between data object types and report masks, for ascertaining the type of a data object transferred via the interface, for comparing the ascertained type with the content of the association memory and for associating a report mask with the data object on the basis of the result of the comparison (Nakano: see [0080]).

Referring to claim 17, Bocionek/Nakano discloses the data processing system as claimed in claim 4, wherein the interfaces on the first and second data processing devices, when interconnected, are useable to transfer data belonging to data objects from the second data processing device to the first data processing device, and wherein data objects with user-edited data, transferred to the first data processing device via the interconnected interfaces, are stored in the data store (Nakano: see [0058]).

Referring to claim 18, Bocionek/Nakano discloses the data processing system as claimed in claim 17, wherein content of user-edited data is checked, and the checked data are stored by the first data processing device only on the basis of the result of the check (Nakano: see [0056]-[0059]).

Referring to claim 19, Bocionek/Nakano discloses the distributed method of claim 8, wherein the second component is used to present data from the data objects in medically relevant reports using the report masks (Nakano: see [0049] and [0058]).

Referring to claim 20, Bocionek/Nakano discloses the distributed method as claimed in claim 9, wherein the second method component uses report masks for a user to edit data from the data objects (Nakano: see [0058]).

Referring to claim 21, Bocionek/Nakano teaches the distributed method as claimed in claim 9, wherein a data switching component is provided for ascertaining the type of a data object transferred from the first to the second component, for comparing the ascertained type with the content of an association memory containing information about the association between data object types and report masks, and for associating a report mask with the data object on the basis of the result of this comparison (Nakano: see [0081]-[0083]).

Referring to claim 22, Bocionek/Nakano discloses the distributed method as claimed in claim 10, wherein a data switching component is provided for ascertaining the type of a data object transferred from the first to the second component, for comparing the ascertained type with the content of an association memory containing information about the association between data object types and report masks, and for associating a report mask with the data object on the basis of the result of this comparison (Nakano: see [0081]-[0083]).

Referring to claim 23, Bocionek discloses a data processing system for

processing medically relevant data objects including at least one of image data and

metadata (see abstract), comprising:

a first electronic data processing means [operator consoles 5-8] for viewing and

editing the data objects (see [0021], lines 7-11), the first electronic data processing

device including,

storage means for storing the data objects [medical images and patient

data are stored locally within the workstations] (see [0021], lines 7-11), and

first interfacing means for outputting data objects (see [0025]); and

second electronic data processing means [workstation 11] (see [0023]), the

second electronic data processing device including,

second interfacing means for receiving the data objects [communication

network 9] (see [0023], lines 1-4),

wherein

the first data processing means uses firmly prescribed data formats

[DICOM], unalterable by a user, to store, view and edit data objects (see [0021]

and [0025]),and

the interfacing means of the first and second processing means are

connectable to one another for transfer of data objects from the first data

processing means to the second data processing means (see [0022], lines 1-3;

[0023], lines 1-4; and [0025]).

However, while Bocionek discloses a second processing device, Bocionek

fails to explicitly disclose the further limitations of the second electronic data processing

device presenting and altering data from data objects in reports using report masks,

wherein the second electronic data processing device has a mask memory for storing

the report masks and uses report masks, generateable and alterable locally by the user

of the second data processing device to present and alter objects in a report context.

Nakano discloses creating formatted reports containing extracts from the database

including a processing device for presenting data from data objects in medically relevant

reports (see abstract), the second electronic data processing device presenting and

altering data from data objects in reports using report masks (see [0049]; [0050]; and

Fig 2), wherein the second electronic data processing device has a mask memory for

storing the report masks [report template database 11] (see Fig 2), a second interface

for receiving the data objects [interface 9] (see Fig 2) and uses report masks,

generateable and alterable locally by the user of the second data processing device to

present and alter objects in a report context (see [0088], lines 8-10).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to utilize the report masks of Nakano to present the data disclosed by

Bocionek on a second device. One would have been motivated to do so in order to

improve the diversity of database system with which the clients and users can interact.

Referring to claim 24, Bocionek/Nakano discloses the data processing system

as claimed in claim 23, wherein the second data processing means stores report masks

[templates] at least one of generated and altered by the user (Nakano: see [0052] and

Fig 2).

Referring to claim 25, Bocionek/Nakano discloses the data processing system

as claimed in claim 23, wherein the second data processing means uses report masks,

generateable and alterable by the user without knowledge of the syntax of the data

objects, in order for a user to edit data from data objects (Nakano: see [0089]).

Referring to claim 26, Bocionek/Nakano discloses the data processing system

as claimed in claim 23, wherein at least one of the interfacing means includes the data

switching means, the data switching means having access to an association memory

containing information about an association between data object types and report

masks, for ascertaining the type of a data object transferred via the interface means, for

comparing the ascertained type with the content of the association memory and for

associating a report mask with the data object on the basis of the result of the

comparison (Nakano: see [0080]).

Referring to claim 27, Bocionek/Nakano discloses the data processing system

as claimed in claim 23, wherein the interfacing means on the first and second data

processing means, when interconnected, are useable to transfer data belonging to data

objects from the second data processing means to the first data processing means, and

wherein data objects with user-edited data, transferred to the first data processing

means via the interconnected interfaces, are stored in the storage means (Bocionek:

see [0021] and [0025]).

Referring to claim 28, Bocionek/Nakano discloses the data processing system as claimed in claim 27 wherein content of user-edited data is checked, and the checked data are stored by the first data processing means only on the basis of the result of the check (Bocionek: see [0021] and [0025]).

Referring to claim 29, Bocionek/Nakano discloses the data processing system as claimed in claim 23, wherein the first data processing means is for authenticating all access operations to data objects by users in a manner which the user cannot alter and documents them for later reconstruction (Bocionek: see [0021] and [0025]).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KIMBERLY LOVEL whose telephone number is (571)272-2750. The examiner can normally be reached on 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John R. Cottingham/   Kimberly Lovel
Supervisory Patent Examiner, Art Unit 2167   Examiner
                                                             Art Unit 2167

17 Match 2008
kml